



J. Martin Futrell

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May 22, 2020

CMRRR# 9214 8969 0099 9790 1633 7225 71

Attn: Betsy Duncan
 American Hallmark Insurance
 P.O.Box 166002
 Altamonte Springs, FL 32716

Re: Our Client: Jerome Johnson, Jr.
 Your Insured: Chaser, LLC
 Insured Driver: Eugene Freeman
 Claim No: STAH19120066 ED
 Date of Loss: 12/10/2019

Dear Ms. Duncan:

We represent Jerome Johnson, Jr. for personal injuries resulting from an automobile collision occurring on 12/10/2019 with your insureds, Chaser, LLC and Eugene Freeman. This offer to settle is made pursuant to O.C.G.A. § 9-11-67.1 and O.C.G.A. § 51-12-14.

LIABILITY:

A commercial driver has a responsibility to drive defensively and follow the rules of the road – safety rules that are in place to prevent crashes such as this one and protect the public. On 12/10/2019, Eugene Freeman failed to keep a proper lookout when changing lanes, crashing into Jerome's vehicle and placing all motorists in Atlanta, GA in danger.

POLICE INVOLVEMENT:

Officer G. Williams with the Dekalb County Police Department was dispatched to Bouldercrest Rd. and I-285 in Atlanta, GA. After completing his investigation, Officer Williams cited Eugene Freeman, the driver of Unit/Vehicle 1, for failing to yield the right of way.

PARTIES

TYPE	PARTY NAME
DEFENDANT	FREEMAN, EUGENE J
PLAINTIFF	STATE OF GEORGIA

**On April 16, 2020, Eugene Freeman
plead guilty.**

CHARGES

COUNT	DESCRIPTION	LEVEL	DEGREE	PLEA	DISPOSITION	DISPOSITION DATE
1	FAILURE TO YIELD RIGHT OF WAY TO VEHICLE/ ACCDIT (40-6-73)	1			BOND FORFEITURE - BOND PAID PRIOR TO COURT	04/16/2020

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We have reviewed Chaser LLC's FMCSA SAFER profile. There were multiple violations for dangerous driving/speeding as well as for hours of service. If we learn that Eugene was operating while fatigued or distracted by some type of electronic device in his cab or was intentionally rushing to make a pick-up or drop-off, we will be entitled to and will seek an award of punitive damages.

INJURIES & MEDICAL TREATMENT:

As a direct result of Eugene Freeman's negligence, Jerome's vehicle was destroyed forcing him to pay for a rental. In addition, he suffered injuries that required medical attention and causing him to miss time from work



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EXHIBIT B

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On December 12, 2019, Jerome had an initial evaluation with Dr. Michael Frady, D.C of *Piedmont Injury & Rehab Center*. While being evaluated, Dr. Frady noted that Jerome's pain limited his range of motion throughout his cervical and lumbar spine. After his evaluation Dr. Frady started Jerome on a conservative therapy plan and referred him to *Onyx Imaging* for MRI's of his cervical and lumbar spine.

ORTHOPEDIC AND NEUROLOGICAL TESTS

Test	Left	Right	Comment
Foramina Compression	WNL	Positive	Exacerbation of neck and upper back pain on the right
Cervical Distraction	Positive	Positive	Exacerbation of pain bilaterally
Shoulder Depressor	WNL	Positive	Exacerbation of neck and upper back pain on the right
Lumbar Facet Loading	Positive	Positive	Exacerbation of lower back pain bilaterally
Yeoman's	WNL	Positive	Findings on the right side only

DIAGNOSES

1. Cervicalgia (M54.2)
2. Sprain of ligaments of cervical spine, initial encounter (S13.4XXA)
3. Strain of muscle, fascia and tendon at neck level, init (S16.1XXA)
4. Segmental and somatic dysfunction of cervical region (M99.01)
5. Low back pain (M54.5)
6. Sprain of ligaments of lumbar spine, initial encounter (S33.5XXA)
7. Strain of muscle, fascia and tendon of lower back, init (S39.012A)
8. Segmental and somatic dysfunction of lumbar region (M99.03)
9. Pain in thoracic spine (M54.6)
10. Sprain of ligaments of thoracic spine, initial encounter (S23.3XXA)
11. Strain of muscle and tendon of back wall of thorax, init (S29.012A)
12. Segmental and somatic dysfunction of thoracic region (M99.02)
13. Segmental and somatic dysfunction of upper extremity (M99.07)
14. Acute post-traumatic headache, not intractable (G44.319)
15. Radiculopathy, cervical region (M54.12)
16. Paresthesia of skin (R20.2)

PLAN

Follow up per care plan. Cervical and lumbar MRI ordered today.

Onyx Imaging, LLC

1/20/20: Positive Findings for Jerome's MRI of the Cervical Spine:

- C2-C3, annular bulge of the intervertebral disc
- C3-C4, posterior bulge of the intervertebral disc effacing the central aspect of the thecal sac and indenting the central aspect of the cervical spinal cord.
- C4-C5, posterior bulge of the intervertebral disc
- C6-C7, posterior bulge of the intervertebral disc effacing the ventral aspect of the thecal sac
- C7-T1, posterior herniation of the intervertebral disc with right neural foraminal stenosis
- Straightening of the cervical spine

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1/20/20: Positive Findings for Jerome's MRI of the Lumbar Spine:

- L5-S1, posterior herniation of the intervertebral disc with the protrusion extending posterolateral to the left into the left neural foramen with moderate left stenosis and mild right neural foraminal stenosis
- L4-L5, anterior spurring and a posterior bulge of the intervertebral disc with mild bilateral neural foraminal stenosis

On January 25, 2019, Jerome reviewed his MRI findings with Dr. Frady who recommended he see a pain management specialist. On January 30, 2019, Jerome followed up with Dr. Peter Fong of *Regional Medical Group, LLC* who noted his ongoing pain and associated symptoms. Because conservative had failed Jerome, Dr. Fong ordered and performed bilateral steroid injection to his cervical and lumbar spine.

LOST WAGES:

Prior to this wreck, Jerome was working full time for the United States Postal Service. As a result of this wreck Jerome was unable to perform his job duties forcing him to miss significant time from work. His total lost wages as a result of this wreck are \$3,984.25.

Enclosed you will find a copy of Jerome's specials. His summary is as follows:

Piedmont Injury & Rehab Center	\$7,179.00
Onyx Imaging	\$4,202.00
Regional Medical Group	\$17,414.00
Rental	\$214.41
Lost Wages	\$3,984.25
TOTAL	\$32,993.66

We have authority to make the following offer to resolve and otherwise settle Jerome Johnson, Jr. claims: In exchange for the amount of \$330,000.00 of monetary payment, Jerome Johnson, Jr. will execute a limited release of Chaser, LLC and Eugene Freeman pursuant to O.C.G.A. § 33-24-41.1 of all bodily injury claims by Jerome Johnson, Jr. This offer must be accepted within thirty (30) days from receipt. If the offer is accepted, payment must be made within fourteen days after written acceptance of the offer.

Sincerely,



J. Martin Futrell

JMF/jaz
 Enclosures